

VOTE ON MOTION TO CONCUR

The PRESIDING OFFICER. Under the previous order, all postcloture time has expired.

The motion to concur with amendment No. 4871 is withdrawn.

The question is on agreeing to the motion to concur.

Mr. RISCH. I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have been requested.

Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Maine (Mr. KING) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from Texas (Mr. CORNYN), the Senator from South Dakota (Mr. ROUNDS), the Senator from Nebraska (Mr. SASSE), and the Senator from Pennsylvania (Mr. TOOMEY).

The result was announced—yeas 59, nays 35, as follows:

[Rollcall Vote No. 491 Leg.]

YEAS—59

| | | |
|--------------|--------------|------------|
| Baldwin | Heinrich | Reed |
| Barrasso | Hickenlooper | Romney |
| Bennet | Hirono | Rosen |
| Blumenthal | Kaine | Sanders |
| Blunt | Kelly | Schatz |
| Booker | Klobuchar | Schumer |
| Brown | Leahy | Shaheen |
| Cantwell | Lujan | Sinema |
| Capito | Manchin | Smith |
| Cardin | Markey | Stabenow |
| Carper | McConnell | Tester |
| Casey | Menendez | Thune |
| Collins | Merkley | Tillis |
| Coons | Murkowski | Van Hollen |
| Cortez Masto | Murphy | Warner |
| Duckworth | Murray | Warnock |
| Durbin | Ossoff | Warren |
| Feinstein | Padilla | Whitehouse |
| Gillibrand | Peters | Wyden |
| Hassan | Portman | |

NAYS—35

| | | |
|-----------|------------|------------|
| Blackburn | Grassley | Moran |
| Boozman | Hagerty | Paul |
| Braun | Hawley | Risch |
| Cassidy | Hoeven | Rubio |
| Cotton | Hyde-Smith | Scott (FL) |
| Cramer | Inhofe | Scott (SC) |
| Crapo | Johnson | Shelby |
| Cruz | Kennedy | Sullivan |
| Daines | Lankford | Tuberville |
| Ernst | Lee | Wicker |
| Fischer | Lummis | Young |
| Graham | Marshall | |

NOT VOTING—6

| | | |
|--------|--------|--------|
| Burr | King | Sasse |
| Cornyn | Rounds | Toomey |

The motion was agreed to.

CLOTURE MOTION

The PRESIDING OFFICER (Mr. KAINE). Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomi-

nation of Executive Calendar No. 486, Lucy Haeran Koh, of California, to be United States Circuit Judge for the Ninth Circuit.

Charles E. Schumer, Richard J. Durbin, Debbie Stabenow, Chris Van Hollen, Kirsten E. Gillibrand, Christopher A. Coons, Benjamin L. Cardin, Patty Murray, Alex Padilla, Tina Smith, Ben Ray Lujan, Sheldon Whitehouse, Mazie Hirono, Elizabeth Warren, Jeff Merkley, Cory A. Booker, Brian Schatz.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Lucy Haeran Koh, of California, to be United States Circuit Judge for the Ninth Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Maine (Mr. KING) and the Senator from Arizona (Ms. SINEMA) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from West Virginia (Mrs. CAPITO), the Senator from Louisiana (Mr. CASSIDY), the Senator from Texas (Mr. CORNYN), the Senator from Idaho (Mr. RISCH), the Senator from South Dakota (Mr. ROUNDS), the Senator from Nebraska (Mr. SASSE), the Senator from Florida (Mr. R. SCOTT), and the Senator from Pennsylvania (Mr. TOOMEY).

The yeas and nays resulted—yeas 51, nays 38, as follows:

[Rollcall Vote No. 492 Leg.]

YEAS—51

| | | |
|--------------|--------------|------------|
| Baldwin | Hassan | Padilla |
| Bennet | Heinrich | Peters |
| Blumenthal | Hickenlooper | Reed |
| Booker | Hirono | Rosen |
| Brown | Kaine | Sanders |
| Cantwell | Kelly | Schatz |
| Cardin | Klobuchar | Schumer |
| Carper | Leahy | Shaheen |
| Casey | Lujan | Smith |
| Collins | Manchin | Stabenow |
| Coons | Markey | Tester |
| Cortez Masto | Menendez | Van Hollen |
| Duckworth | Merkley | Warner |
| Durbin | Murkowski | Warnock |
| Feinstein | Murphy | Warren |
| Gillibrand | Murray | Whitehouse |
| Graham | Ossoff | Wyden |

NAYS—38

| | | |
|-----------|------------|------------|
| Barrasso | Hagerty | Paul |
| Blackburn | Hawley | Portman |
| Blunt | Hoeven | Romney |
| Boozman | Hyde-Smith | Rubio |
| Braun | Inhofe | Scott (SC) |
| Cotton | Johnson | Shelby |
| Cramer | Kennedy | Sullivan |
| Crapo | Lankford | Thune |
| Cruz | Lee | Tillis |
| Daines | Lummis | Tuberville |
| Ernst | Marshall | Wicker |
| Fischer | McConnell | Young |
| Grassley | Moran | |

NOT VOTING—11

| | | |
|---------|--------|------------|
| Burr | King | Scott (FL) |
| Capito | Risch | Sinema |
| Cassidy | Rounds | Toomey |
| Cornyn | Sasse | |

The PRESIDING OFFICER. On this vote, the yeas are 51, the nays are 38.

The motion is agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Cloture having been invoked, the Senate will proceed to executive session.

The clerk will report the nomination. The senior assistant legislative clerk read the nomination of Lucy Haeran Koh, of California, to be United States Circuit Judge for the Ninth Circuit.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 533, Jennifer Sung, of Oregon, to be United States Circuit Judge for the Ninth Circuit.

Charles E. Schumer, Richard J. Durbin, Debbie Stabenow, Chris Van Hollen, Kirsten E. Gillibrand, Christopher A. Coons, Benjamin L. Cardin, Patty Murray, Alex Padilla, Tina Smith, Ben Ray Lujan, Sheldon Whitehouse, Mazie K. Hirono, Elizabeth Warren, Jeff Merkley, Cory A. Booker, Brian Schatz.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Jennifer Sung, of Oregon, to be United States Circuit Judge for the Ninth Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Maine (Mr. KING) and the Senator from Arizona (Ms. SINEMA) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Indiana (Mr. BRAUN), the Senator from North Carolina (Mr. BURR), the Senator from West Virginia (Mrs. CAPITO), the Senator from Louisiana (Mr. CASSIDY), the Senator from Texas (Mr. CORNYN), the Senator from Idaho (Mr. RISCH), the Senator from South Dakota (Mr. ROUNDS), the Senator from Nebraska (Mr. SASSE), the Senator from Florida (Mr. SCOTT), the Senator from North Carolina (Mr. TILLIS), and the Senator from Pennsylvania (Mr. TOOMEY).

The yeas and nays resulted—yeas 48, nays 39, as follows:

[Rollcall Vote No. 493 Ex.]

YEAS—48

| | | |
|------------|----------|--------|
| Baldwin | Booker | Cardin |
| Bennet | Brown | Carper |
| Blumenthal | Cantwell | Casey |

Coons
Cortez Masto
Duckworth
Durbin
Feinstein
Gillibrand
Hassan
Heinrich
Hickenlooper
Hirono
Kaine
Kelly
Klobuchar

Leahy
Lujan
Manchin
Markey
Menendez
Merkley
Murphy
Murray
Ossoff
Padilla
Peters
Reed
Rosen

Sanders
Schatz
Schumer
Shaheen
Smith
Stabenow
Tester
Van Hollen
Warner
Warnock
Warren
Whitehouse
Wyden

NAYS—39

Barrasso
Blackburn
Blunt
Boozman
Collins
Cotton
Cramer
Crapo
Cruz
Daines
Ernst
Fischer
Graham

Grassley
Hagerty
Hawley
Hoeven
Hyde-Smith
Inhofe
Johnson
Kennedy
Lankford
Lee
Lummis
Marshall
McConnell

Moran
Murkowski
Paul
Portman
Romney
Rubio
Scott (SC)
Shelby
Sullivan
Thune
Tuberville
Wicker
Young

NOT VOTING—13

Braun
Burr
Capito
Cassidy
Cornyn

King
Risch
Rounds
Sasse
Scott (FL)

Sinema
Tillis
Toomey

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Jennifer Sung, of Oregon, to be United States Circuit Judge for the Ninth Circuit.

The PRESIDING OFFICER. The majority leader.

DEBT CEILING

Mr. SCHUMER. Mr. President, I just would like to speak about the vote we had—the first vote.

I am really pleased that this Chamber just passed legislation setting up a fast-track process with debt ceiling legislation—no brinksmanship, no default on the debt, no risk of another recession. Responsible governing won the day. This is now headed to the President's desk.

I want to be clear. This is about paying debt accumulated by both parties. So I am pleased we were able to facilitate a process with the support of Members from both parties that avoids a needless and catastrophic default and cuts to Medicare.

This was a bipartisan process, and I hope there can be more. And I want to thank Leader MCCONNELL for working with us in good faith to get to this point.

We started this month with a daunting to-do list, but we have made significant progress and are on track to get the work done. To repeat, we did this with no brinksmanship, no default on debt, no risk of another recession. It was responsible governing that won the day, and now the bill is headed to the President's desk.

I expect—after this legislation is signed, I expect new legislation will be introduced to increase the debt limit, and we intend to pass it by December 15. The American people can breathe easy and rest assured there will not be a default.

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate consider the following nominations: Calendar No. 359 and 361; that the Senate vote on the nominations en bloc without intervening action or debate; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the Senate proceeded to consider the nominations en bloc.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nominations of Stephen A. Owens, of Arizona, to be a Member of the Chemical Safety and Hazard Investigation Board for a term of five years; and Sylvia E. Johnson, of North Carolina, to be a Member of the Chemical Safety and Hazard Investigation Board for a term of five years?

The nominations were confirmed en bloc.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

REITERATING UNITED STATES SUPPORT FOR THE PEOPLE OF THE REPUBLIC OF SOUTH SUDAN IN THEIR QUEST FOR LASTING PEACE, STABILITY, AND DEMOCRACY AFTER 10 YEARS OF INDEPENDENCE AND CALLING FOR A REVIEW OF UNITED STATES POLICY TOWARD SOUTH SUDAN

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 160, S. Res. 380.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 380) reiterating United States support for the people of the Republic of South Sudan in their quest for lasting peace, stability, and democracy after 10 years of independence and calling for a review of United States policy toward South Sudan.

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Foreign Relations with an amendment to strike all after the resolving clause and insert the part printed in italic, and with an amendment to strike the preamble and insert the part printed in italic, as follows:

["\$6,000,000,000 in emergency humanitarian assistance since the start of the civil war in December 2013;

["Whereas, on July 9, 2021, the United Nations Mission in South Sudan marked 10 years in existence at a total cost of more

than \$10,300,000,000, and total United States contributions are estimated to exceed \$3,300,000,000 through 2021;

["Whereas the leaders of South Sudan have consistently failed to uphold their responsibilities to create the conditions for peace and prosperity, have prioritized self-preservation and corruption over the needs of the people they represent, have acted in bad faith in the implementation of cease-fire and peace agreements, and have betrayed the cause of freedom, resulting in the loss of millions of innocent lives;

["Whereas South Sudan has not held an election since its independence and the current leaders of South Sudan were appointed or installed through transitional arrangements based on peace agreements;

["Whereas South Sudan merits consistent high-level attention given the central role the United States played in diplomatic efforts leading to the independence of South Sudan and the enormous investments in humanitarian and other assistance the United States has provided to South Sudan; and

["Whereas, on July 9, 2021, South Sudan celebrated the 10th anniversary of its independence: Now, therefore, be it"]

Whereas the Republic of South Sudan became the newest country in the world on July 9, 2011, following the Referendum on the Self-Determination of Southern Sudan, in which 99 percent of Southern Sudanese voters voted in favor of secession from Sudan;

Whereas the 21-year civil war in Sudan, the longest-running conflict in Africa, caused approximately 2,000,000 deaths and mass population displacement of approximately 550,000 refugees and 4,000,000 internally displaced persons;

Whereas the United States played a significant role in supporting the resolution of Sudan's civil war, facilitating peace negotiations, serving as a guarantor to the Comprehensive Peace Agreement between the Government of the Republic of the Sudan and the Sudan People's Liberation Movement/Sudan People's Liberation Army signed in January 2005, and providing substantial resources for the implementation of that agreement alongside other international partners;

Whereas, on December 15, 2013, just 28 months following independence, the political power struggle between President Salva Kiir and Vice President Riek Machar, both of the Sudan People's Liberation Movement (SPLM), erupted into open conflict between ethnically allied Dinka and Nuer factions of the security services and quickly escalated into civil war;

Whereas, on August 17, 2015, after months of mediation by the Intergovernmental Authority on Development, the Agreement on the Resolution of the Conflict in the Republic of South Sudan was signed by President Kiir, Riek Machar for SPLM-In Opposition (SPLM-IO), and Pagan Amum for SPLM-Former Detainees;

Whereas the parties to the Agreement on the Resolution of the Conflict in the Republic of South Sudan demonstrated a lack of political will for sustainable peace, delaying implementation of the agreement, and in July 2016, new clashes in Juba quickly spread, returning the country to civil war;

Whereas the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan, signed on September 12, 2018, reasserted the Parties' commitment to a permanent ceasefire, humanitarian access, and respect for human rights, and called for the establishment of a Revitalized Transitional Government of National Unity to lead South Sudan to democratic elections after 44 months;

Whereas Kiir's presidential term has been extended 3 times since South Sudan's independence, twice through amendments to the Transitional Constitution of South Sudan and most recently through an extension of the Transitional Period under the Revitalized Agreement on the